

To: Jeffrey Robinson[Robinson.Jeffrey@epa.gov]; Verhalen, Frances[verhalen.frances@epa.gov]; Casso, Ruben[Casso.Ruben@epa.gov]
From: Schoellkopf, Lynde[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=739D462E81EF4540A4994C7D907C2595-SCHOELLKOPF, LYNDE]
Sent: Tue 6/29/2021 7:07:30 PM (UTC)
Subject: FW: Sterigenics Injunction Order
[Black and White5597.pdf](#)

It looks like Ruben in rec'ing from other folks as well. Front office has been updated. Thanks.

From: McGuire, James <McGuire.James@epa.gov>
Sent: Tuesday, June 29, 2021 1:45 PM
To: Gray, David <gray.david@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Cc: Andrews, Suzanne <Andrews.Suzanne@epa.gov>; Schoellkopf, Lynde <Schoellkopf.Lynde@epa.gov>; Welton, Patricia <Welton.Patricia@epa.gov>; Garcia, David <Garcia.David@epa.gov>; Tanimura, Erin <Tanimura.Erin@epa.gov>
Subject: FW: Sterigenics Injunction Order

David and Jim-

FYI, the New Mexico state court issued a preliminary injunction prohibiting uncontrolled releases of ethylene oxide from Sterigenic's Santa Teresa NM facility. The PI was based in part on a finding of imminent and substantial endangerment to the public health and welfare of residents in Santa Teresa and nearby communities. The four-page order (attached) directs Sterigenics to meet with the NM AG within 10 days to coordinate on monitoring, and that the parties further jointly propose a monitoring protocol to the Court within 30 days. As DOJ and Lynde note below, the court did not invoke primary jurisdiction, consistent with the position in our amicus brief.

Thanks for shepherding this for the region, Lynde!

James McGuire
Regional Counsel, EPA Region 6
214-665-6560

From: Schoellkopf, Lynde <Schoellkopf.Lynde@epa.gov>
Sent: Tuesday, June 29, 2021 1:17 PM
To: McGuire, James <McGuire.James@epa.gov>; Andrews, Suzanne <Andrews.Suzanne@epa.gov>
Subject: FW: Sterigenics Injunction Order

Court issued state injunction against Sterigenics for "uncontrolled releases" – no mention of EPA in this order/no primary jurisdiction. Sterigenics to confer on monitoring plan/protocol with the state.

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Tuesday, June 29, 2021 12:56 PM
To: Schoellkopf, Lynde <Schoellkopf.Lynde@epa.gov>; Anderson, Lea <anderson.lea@epa.gov>; Harvey, Judy (ENRD) <Judith.Harvey@usdoj.gov>; Branning, Amy <Branning.Amy@epa.gov>
Subject: Sterigenics Injunction Order

Hi Folks –

The NM State Court filed an injunction order today (order attached). Seems like this action is consistent with our recommendation that the court not invoke primary jurisdiction.

-Matt